IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.6266 of 2008
DHARMBIR YADAV
Versus
STATE OF BIHAR

02. 01.05.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused for offence punishable under section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that the allegation is that food grains were being taken on three tractors and the same were seized by the police and petitioner was the driver of one of the tractors. Learned counsel for the petitioner further submits that after investigation police found that the said food grains had been taken by contract agent already appointed for the said purpose and submitted final report. Learned counsel for the petitioner also avers that learned court below differed with the police report and took cognizance under the provision of sections 379 and 411 of the Indian Penal Code. Learned counsel for the petitioner also submits that the petitioner is in custody since 23.09.2007, although he has got no criminal antecedent.

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In the aforesaid facts and circumstances, this petition is allowed. Let petitioner, namely, Dharmbir Yadav be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 196 of 2007.

harish **(S.N. Hussain, J.)**